

MINUTES

Colorado State Board of Dental Examiners

OPEN - FULL SESSION

January 21, 2010 8:05 a.m.

1560 Broadway, Suite 1250 C

Denver, CO 80202

I. CALL TO ORDER

MEMBERS PRESENT: F. Robert Murphy, DDS, Board Chairperson; Elizabeth Thompson, RDH, Board Vice-Chairperson; Catherine Hakala, DDS; Brian Davidson, MD; Steven A. Tilliss, DDS, MS; G. Garo Chalian, DDS; Eve Bluestein, MD, DDS; Lisa Reitmaier, RDH; Peter Carlesimo, DDS; Annette Isenbart, RDH; Melanie Names, JD and Duane Takaki, DDS

MEMBERS ABSENT: Noble Wallace

STAFF PRESENT: Maulid Miskell, Program Director; Sue Kim, Senior Assistant Attorney General; Abigail Gaskins, Compliance Monitor and Jessica Lehew, Complaint Specialist

II. MINUTES AND AGENDA

A motion was made, seconded and carried to **approve with additions** the January 21, 2010 Open Full Board Agenda.

A motion was made, seconded and carried to **approve as amended** the October 21, 2009 Open Full Board Minutes.

A motion was made, seconded and carried to **approve as amended** the November 18, 2009 Rules and Regulations Committee Minutes.

III. RULEMAKING

PROPOSED RULE III(D) – LICENSURE OF DENTISTS AND DENTAL HYGIENISTS

The Board convened a public rulemaking hearing at 8:11 a.m. and closed at 8:15 a.m. The hearing was properly noticed under the provisions of the Administrative Procedure Act to consider Rule III (D) regarding Licensure of Dentists and Dental Hygienists.

Dr. F. Robert Murphy presented an overview of the proposed rule. A full opportunity was provided for submission of oral and written comments by the public.

No written documents were offered or received in advance of or at the hearing. No persons appeared to testify, and no oral comments or testimony were offered or received at the hearing.

Discussion among the Board members ensued.

A motion was made, seconded and carried to **adopt Rule III (D) as proposed** together with a statement of basis and purpose, published with a Notice of Rulemaking Hearing, to become effective March 30, 2010.

PROPOSED RULE XIV – ANESTHESIA

The Board continued its deliberations concerning proposed Rule XIV regarding Anesthesia. The public testimony portion of the rulemaking hearing had been closed following the October 21, 2009 rulemaking hearing, which was properly noticed under the provisions of the Administrative Procedure Act. At that time, a full opportunity was provided for submission of oral or written comments by the public.

Discussion among the Board members ensued, including discussion of various proposed amendments.

After due consideration, a motion was made, seconded and carried to **adopt** Rule XIV with revisions as discussed, together with a statement of basis and purpose, published with a Notice of Rulemaking Hearing, to become effective March 30, 2010.

IV. REPORTS

PROGRAM DIRECTOR

Verbal presentation given by Maulid Miskell, Program Director regarding the anesthesia process, rules and policy changes.

A motion was made, seconded and carried to give the Professional Standards Committee the **authority to approve** the new anesthesia applications.

A motion was made, seconded and carried to give the Rules and Regulations Committee the authority to **appoint** 3 members and 3 alternates to serve on the Anesthesia Application Review Committee and to oversee the formation and training of such Committee.

A motion was made, seconded and carried to have the Anesthesia Application Review Committee review the anesthesia permit/privileges applications and make recommendations to approve or deny authorization of the office inspections, subject to review by a Panel of the Board.

Discussed recommended changes and amendments to the Rules and Policies.

BOARD CHAIRPERSON

Verbal presentation given by F. Robert Murphy, DDS, Board Chairperson regarding the CDA Annual Meeting and the Board Members involvement. Dr. Murphy also thanked Catherine Hakala, DDS for the time she served on the Board.

PROFESSIONAL ASSOCIATIONS

ADA –	DENTPIN – Board noted.
AADE –	Advocacy Relations Manual Updates – Board noted.
AGD –	AGDtranscript - October 2009 Issue – Board noted.
ALD –	Lasers in the clinical dental setting – Board noted.
ALSD –	Course - Board noted.
CDA –	Changes with CODA in Dental Hygiene Education – Board noted. Journal of the Colorado Dental Association – Board noted.
CODA –	State Board participation on accreditation site visits – A motion was made, seconded and carried to nominate G. Garo Chalian, DDS and Elizabeth Thompson, RDH. CODA Fall 2009 Newsletter – Board noted.
CRDTS –	Bylaws – Board noted. Executive Director Position of CRDTS – Board noted. 2010 Annual Meeting – A motion was made, seconded and carried to add this meeting to the 2011 travel plan. 2010 Information Directory – Board noted. The CRDTS Report – newsletter – Board noted. Steering Committee Report – Board noted.
DANB –	DANB COO Inducted as NCCA Commissioner – Board noted. Certified Press Newsletter – Board noted.

Joint Commission on National Dental Examinations –

2010 NDEAF – A motion was made, seconded and carried to **nominate Elizabeth Thompson, RDH** to attend this meeting.

Joint Commission on National Dental Examinations newsletter – **Board noted.**

Kentucky Board of Dentistry – Fall newsletter – Board noted.

PEER ASSISTANCE

Verbal presentation given by Elizabeth M. Pace, MSM, RN, CEAP

Chief Executive Officer regarding the changing of staff and appointment of Rebecca Heck as the Alternative Programs Director.

PAS Quarter Report FY 2010 – A motion was made, seconded and carried to **accept** this report.

PAS 2nd Quarter Report – A motion was made, seconded and carried to **accept** this report.

Program Evaluation Proposal – A motion was made, seconded and carried to **authorize Peer Assistance Services to provide this survey** to the Dental, Pharmacy and Nursing Boards.

Curriculum Vitae of Dr. Lori Crane – **Board noted.**

SIGNED STIPULATION/FINAL AGENCY ORDERS; CEASE & DESIST ORDERS; UNCONTESTED LETTERS OF ADMONITION AND CLOSURE OF STIPULATIONS

Board noted.

SIGNED STIPULATIONS/FINAL AGENCY ORDERS; CEASE AND DESIST ORDERS
(October 13, 2009 through January 7, 2010)

1. Signed Stipulations and Final Agency Orders

GIRARDI, Anthony	License #105172	Case #2008-003759
Stipulation and Final Agency Order, effective December 11, 2009		
HENDERSON, Scott DDS	License #7352	Case #2009-001013
Stipulated Letter of Admonition, effective October 14, 2009		
MARTIN, Sarira DDS	License #8568	Case #2008-002160
Stipulated Letter of Admonition, effective November 13, 2009		
QUINTANA, Angela RDH	License #906009	Case #2010-001023
Stipulation and Final Agency Order, effective November 24, 2009		
SPROUT, Christopher DDS	License #8660	Case #2008-001066
Stipulation and Final Agency Order, effective October 30, 2009		
WOODS, Robert DDS	License #8772	Case #2007-002617
Stipulated Letter of Admonition, effective November 20, 2009		

UNCONTESTED LETTERS OF ADMONITION and CLOSURE OF STIPULATIONS
(October 13, 2009 through January 7, 2010)

1. Uncontested Letters of Admonition

BANDLE, Diane RDH	License #201724	Case #2009-003658
Letter of Admonition, effective November 3, 2009		
BELLAMY, Marcus DMD	License #8467	Case #2009-003712
Letter of Admonition, effective November 3, 2009		

DAVIS, Ramona RDH Letter of Admonition, effective November 3, 2009	License #2892	Case #2010-000032
DICK, Clyde, DDS Letter of Admonition, effective November 3, 2009	License #3097	Case #2009-004177
MATA, Lyndon DDS Letter of Admonition, effective November 3, 2009	License #7333	Case #2009-003681
MORRISON, Eric DDS Letter of Admonition, effective November 3, 2009	License #8396	Case #2009-004082
NOAH, Jason DMD Letter of Admonition, effective November 3, 2009	License #9487	Case #2009-004083
PANARIELLO, Tracy RDH Stipulated Letter of Admonition, effective November 24, 2009	License #904964	Case #2009-003659

2. Closed Stipulations

(October 21, 2009 through January 7, 2010)

ANARAKI, Hengameh DDS Stipulated Letter of Admonition, closed October 22, 2009	License #8242	Case #2008-000462
BURNS, William DDS Stipulation and Final Agency Order, closed October 22, 2009	License #8904	Case #2008-002823
CARDOSO, Luiz DDS & 2006-001969 Stipulation and Final Agency Order, closed September 16, 2009	License #7482	Case #3603000247
COLM, Stephen DMD & 2008-00302 Stipulated Letter of Admonition, closed October 21, 2009	License #7009	Case #2008-00300
DIETZ, Jacqueline DMD Stipulation and Final Agency Order, closed December 2, 2009	License #9635	Case #2008-002025
KARR, P. Boone DDS Stipulation and Final Agency Order, closed on December 3, 2009	License #7637	Case #2005-000793
KIM, David DDS Stipulated Letter of Admonition with Conditions, closed on December 2, 2009	License #9096	Case #2009-001226
PETERSON, Andrea DDS Stipulated Letter of Admonition, closed on December 3, 2009	License #9283	Case #2007-003174
WHITNEY, Janie RDH Stipulated Letter of Admonition, closed on October 22, 2009	License #2742	Case #2009-003620

MISCELLANEOUS

Barbara Kelly, Executive Director of DORA – Introduction to the Board. Ms. Kelly appeared and had a discussion with the Board.

January 22, 2009 Annual Designation – A motion was made, seconded and carried to **accept** the reception area on the 13th floor to post notices of meetings.

Proposed Policy 3.F. – The Board reviewed materials regarding licensing subcommittee procedures. After discussion, a motion was made, seconded and carried to **adopt** Policy 3.F.

Unlicensed Personnel – Radiographs – The Board considered a request from Captain Brandon K. Bennett dated January 5, 2010. A motion was made, seconded and carried to **delegate to Peter Carlesimo, DDS and Board Staff** to respond to this matter.

Elections – A motion was made, seconded and carried to **re-elect F. Robert Murphy, DDS** as the Board Chairperson.

A motion was made, seconded and carried to **re-elect Elizabeth Thompson, RDH** as Board Vice-Chairperson.

V. ADJOURNMENT: The January 21, 2010 Open Full Board meeting of the Colorado State Board of Dental Examiners **adjourned at 11:15 a.m.** The next meeting will be conducted on April 21, 2010 in Ste. 1250 C.

Signed by F. Robert Murphy, DDS

F. Robert Murphy, DDS

Board Chairperson

August 11, 2010

Date